

Exhibit A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

TIM JON SEMMERLING,)
THE MERCURY ENDEAVOR, LLC)
Plaintiff,) CASE NO. 1:17-cv-03021
v.)
UNITED STATES OF AMERICA, ET AL.) DECLARATION OF
Defendants) COLONEL PATRICK J. WELLS

DECLARATION

I, PATRICK J. WELLS, Colonel, USAF, declare as follows:

That I am currently assigned as Chief, Claims and Tort Litigation Division, Air Force Legal Operations Agency, United States Air Force. As such, I have the responsibility under the Air Force claims regulations for overseeing the administration of Air Force tort claims records.

Accordingly, I have caused a search to be made of Air Force tort claims records for the purpose of determining whether an administrative tort claim has ever been presented to the Air Force on behalf of TIM JON SEMMERLING and/or THE MERCURY ENDEAVOR, LLC related to the allegations contained within this complaint.

The search involved querying the Web-based Armed Forces Claims Information Management System (WebAFCIMS), which records all tort claims filed against the Air Force, and the Claims and Tort Litigation Division network drive, where all electronic tort claims adjudicated by Claims and Tort Litigation Division are stored. A search of WebAFCIMS and the Claims and Tort Litigation Division network drive disclosed that no claims were presented by TIM JON SEMMERLING and/or THE MERCURY ENDEAVOR, LLC. Additionally, the

legal office at Scott AFB, IL conducted a search of all tort claim records in their possession. SEMMERLING has worked and practiced his mitigation services in Illinois since 2010. The legal office at Joint Base Andrews, MD conducted a search of all tort claims records in their position. The Military Commissions Defense Organization is located in Washington D.C. Representatives of those legal offices confirmed they had not received a tort claim from or on behalf of TIM JON SEMMERLING and/or THE MERCURY ENDEAVOR, LLC.

As a result, we have determined that no tort claim has been submitted to the Air Force on behalf of TIM JON SEMMERLING and/or THE MERCURY ENDEAVOR, LLC.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on the 16th day of June, 2017 at Joint Base Andrews, Maryland.



PATRICK J. WELLS, Colonel, USAF
Chief, Claims & Tort Litigation Division
Air Force Legal Operations Agency
1500 West Perimeter Road, Suite 1700
Joint Base Andrews, MD 20762

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

TIM JON SEMMERLING,)	
THE MERCURY ENDEAVOR, LLC)	
)	
Plaintiff)	
)	
v.)	CIVIL ACTION NO. 1:17-CV-03021
)	
CHERYL T. BORMANN ET AL,)	
)	
Defendants)	
)	

DECLARATION

DECLARANT states as follows, to wit:

THAT, I am HAL H. DRONBERGER, presently serving as Director, Claims and Tort Litigation Division, Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Avenue, SE, Suite 3000, Bldg 33, Code 15, Washington Navy Yard, D.C. 20374-5066.

THAT, in this position, I am responsible for the supervision and monitoring of the practices and procedures relative to all administrative claims presented to the Department of the Navy arising under the Federal Tort Claims Act (28 U.S.C. §§ 1346(b), 2401(b), and 2671-2680 (2007)), and the supervision and monitoring, on behalf of the Department of the Navy, of all litigation in the Federal district courts generated by such claims.

THAT, I am the custodian of the Department of the Navy's Claims and Tort Litigation records.

THAT, acting in the aforementioned capacity, I have caused a search to be made of the records maintained within the Office of the Judge Advocate General of the Navy; and The Tort Claims Unit, Norfolk, Virginia; to determine whether Tim Jon Semmerling and/or The Mercury

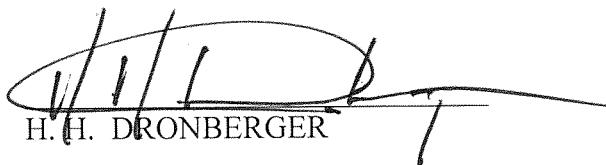
Endeavor, LLC, filed an administrative claim against the Department of the Navy, in any capacity, with respect to the matters at issue in the above-captioned case prior to commencing this action as required by 28 U.S.C. § 2675(a) (2007).

THAT, all reasonable searches have failed to reveal that either Tim Jon Semmerling or The Mercury Endeavor, LLC, has filed such an administrative claim and, to the best of my knowledge and belief, Tim Jon Semmerling and The Mercury Endeavor, LLC, have not filed administrative claims with or against the Department of the Navy based on the subject matter of this action.

I declare under penalty of perjury that the foregoing Declaration is true and correct.

19 JUNE 2017

Date



H. H. DRONBERGER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

Tim Jon Semmerling,)
The Mercury Endeavor, LLC)
Plaintiffs)
Case Number 1:17-cv-03021
Cheryl T. Bormann, ET AL)
Defendants)

DECLARATION OF CONNIE M. McCONAHY

I, Connie M. McConahy, declare as follows:

1. I am the Acting Chief, Operations and Records Branch, United States (U.S.) Army Claims Service 4411 Llewellyn Avenue, Suite 5360, Fort George G. Meade, Maryland 20755-5125. In this capacity, I have access to records of all claims against the U.S. for which the Army has investigative responsibility. This include claims under the Federal Tort Claims Act, 28 U.S.C. §§ 2671-2680, and under related torts claims statutes.
2. A thorough search of all records available to this Service has found that no administrative claim was filed by **Tim Jon Semmerling, The Mercury Endeavor, LLC** under the above mentioned statutes.

4. Pursuant to 28 U.S.C § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Connie McConahy

Connie McConahy
Acting Chief, Operations and Records
U.S. Army Claims Service

Executed this 20th day of June 2017, at Fort George G. Meade, Maryland.